

REMARKS

Favorable reconsideration is respectfully requested.

The claims are 1 to 12 with claims 10 to 12 being withdrawn.

The above amendment is responsive to points set forth in the Official Action.

With regard to Official Action paragraph 1, a certified copy of applicant's Japanese priority application and English translation thereof with Translator's Statement of accuracy is submitted herewith.

Claim 5 has been rejected as indefinite because it is a compound claim and employs the term "comprising". In reply, claim 5 is, in fact, a method claim and the term "comprising" is entirely appropriate since any product produced by the process may also include by-products. Accordingly, the rejection on indefiniteness is untenable.

Claims 1 to 9 have been rejected under 35 U.S.C. 102(a) as being anticipated by Akiyama et al. (Angew. Chem. Int. Ed, 2002, 41(14): 2602-2604).

This rejection is respectfully traversed.

The cited publication has a "Received" date of March 11, 2002 which is the same date as applicant's Japanese priority application. It is likely that the publication date of the reference is even later than applicant's Japanese priority date. Accordingly, the cited reference is unavailable under 35 U.S.C. 102(a).

Claims 1 to 9 have been rejected under 35 U.S.C. 102(b) as being anticipated by Noels CAS: 132:79002 or Jan et al. CAS: 133:350569.

This rejection is respectfully traversed.

The presently claimed complexes are coordination complexes of ruthenium wherein one of the ligands is an organic polymer with a side chain containing an aromatic ring coordinated to the ruthenium.

Although Noels and Jan et al. disclose a complex of ruthenium, the ruthenium does not coordinate or bond with the polymer. Therefore, the present claims are neither described nor suggested by Noels and Jan et al.

The above comments are also applicable to the rejection of claims 1 to 9 under 35 U.S.C. 103(a) as being unpatentable over Noels EP 0970972. This reference shares the deficiencies of Noels as discussed above since the above-discussed Noels reference is apparently an abstract of the Noels EP reference.

On page 6 of the Official Action, Noels is said to disclose a polymer-support arene-ruthenium complex. However, as pointed out above, the presently claimed complex is not supported on a polymer but rather employs an organic polymer with a side chain comprising an aromatic ring as a ligand which is coordinated to Ru.

The claims have been amended to clarify this fact.

With regard to the rejection in Official Action paragraph 9 over Akiyama et al., as pointed out above, Akiyama et al. is unavailable as a reference.

The above comments with regard to Jan et al. are responsive to the rejection in Official Action paragraph 10.

For the foregoing reasons, it is apparent that the rejections on prior art are untenable and should be withdrawn.

No further issues remaining, allowance of this application is respectfully requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact undersigned at the telephone number below.

Respectfully submitted,

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